IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.24619 of 2008
MANOJ KUMAR SINGH @ MANOJ SINGH @ BHOTHA SINGH
Versus
STATE OF BIHAR & ANR
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2. 4.7.2008 Heard.

The case is under Section 498A of the IPC and Section 4 of the Dowry Prohibition Act. The petitioner being the husband of the complainant is in custody on the allegation that he was demanding Rs.50,000/- in cash, a Hero Honda motorcycle and a television as additional dowry after five years of the marriage and not getting the demand fulfilled illtreated the lady with an attempt to burning her and thereafter expelled her from the matrimonial house.

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The defence appears that the lady is not desirous of living with her husband and she very often left the house of the petitioner and did not care much for the family members of the petitioner.

The learned Judge who dismissed the prayer for bail of the petitioner was influenced by the serious nature of the allegation as also the fact that this court had dismissed the anticipatory bail prayer of the petitioner. The court feels that the rejection

of a prayer of anticipatory bail could not be a fettish for the courts, either the higher or the lower ones, to consider the prayer for bail. The allegation appears five years after the marriage and the trial has to go on and the man is in custody.

Under the above facts, let the above named petitioner be released from custody on furnishing bond of Rs.3,000/-(three thousand) with two sureties of the like amount each to the satisfaction of S.D.J.M.Banka in Complaint Case no.627 of 2006.

(Dharnidhar Jha, J.)

B.Kr.

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